APR U 2 2007

Docket No. 2629-4036

## N THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/735,082

Confirmation No.:

1602

Applicant(s):

James G. Lazar, et al.

Group Art Unit:

1631

Examiner:

TBA

Filed:

December 11, 2003

Customer No.:

27123

For:

IMMUNOLOGICAL DETECTION OF RNA: DNA HYBRIDS ON MICROARRAYS

## **EXPRESS MAIL CERTIFICATE**

Mail Stop Amendments Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Date of Deposit: April 2, 2007

I hereby certify that the following attached paper(s) and/or fee

- 1. Supplemental Information Disclosure Statement (3 pages);
- 2. Form PTO-1449A (1 pg.) with 1 US Patent cited reference (not included) and 15 foreign cited references;
- 3. Form PTO-1449 B (4 pgs.) with 46 cited non-patent references; and
- 4. Return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jafet Cotto

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(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 3 World Financial Center New York, NY 10281-2101 (212) 415-8700 Telephone (212) 415-8701 Facsimile

Docket No. 2629-4036

## THE UNITED STATES PATENT AND TRADEMARK OFFICE 10/735,082

Confirmation No.: 1602

Applicant(s): James G. Lazar, et al. Group Art Unit: 1631

Examiner: TBA

Filed: December 11, 2003

> Customer No.: 27123

For: IMMUNOLOGICAL DETECTION OF RNA:DNA HYBRIDS ON MICROARRAYS

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1.	$\boxtimes$	For each of the following items listed on the enclosed copy of Form PTO-1449B that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
		Khrapko, et al., "Hybridization of DNA with Oligonucleotides Immobilized in Gel: A Convenient Method for Detecting Single Base Substitutions," Mol Biol (Mosk) (USSR) 25(3):718-730 (translation page No. 581-591) (1991)
2.		For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3.		Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No, filed
		<del>.</del>
4.	$\boxtimes$	No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

		37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
		37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
		37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
		37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5.	since in para Allow	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified agraph 4 above but before the mailing date of a final action or a Notice of ance (where there has been no prior final action), and is accompanied by one of rtifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6.	it is be paragr	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with 37 C.F.R. §1.97(c), after the period specified in aph 4 above but before the mailing date of a final action or a notice of unce (where there has been no prior final action):
		A check in the amount of \$180.00 is enclosed in payment of the fee.
		Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7.	it is be action	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since eing filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final or a notice of allowance, whichever comes first, but before payment of the issued is accompanied by:
		ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and
		te fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 elow.
8.	This I	nformation Disclosure Statement is being filed in compliance with:
	a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
	b. 🗌	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the

Docket No. 2629-4036 Serial No. 10/735,082

		C.F.R. §1.17(h).
	c. 🗌	The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9.	Statem	by certify that each item of information contained in this Information Disclosure ment was first cited in a communication from a foreign patent office in a expart foreign application not more than three months prior to the filing of this nation Disclosure Statement.
	filed h counte was kr	by certify that no item of information in the Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a expart foreign application or, to my knowledge after making reasonable inquiry, nown to any individual designated in §1.56(c) more than three months prior to ing of this Information Disclosure Statement.
10.		ocument is accompanied by a Search Report Communication which was n a corresponding PCT or Foreign counterpart application
11.		is enclosed in payment of the fees due under 37. §§1.17(h) and 1.17(p).
	<u>13-450</u>	e the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 00, Order No A DUPLICATE COPY OF THIS SHEET IS CHED.
X	require Depos	ommissioner is hereby authorized to charge any additional fees which may be ed for this Information Disclosure Statement, or credit any overpayment to it Account No. <u>13-4500</u> , Order No. <u>2629-4036</u> . A DUPLICATE COPY OF SHEET IS ATTACHED.
		Respectfully submitted, MORGAN & FINNEGAN, L.L.P.
Dated: <u>A</u>	pril 2, 2	
<u>Correspo</u>	ndence .	Address:
		NNEGAN, L.L.P.
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PAFORM	<b>M</b> YIC	ON DISCLOSURE CITAT	ION	James G. Lazar, et al. Filing Date: December 11, 2003			Group 1	Group Art Unit: 1631	
		U.S. PAT	ENT	/ PUBL	ICATION DOC	UMEN'	rs ,	- E	
Examiner Initial Patent/Publication Number		r I	Publication/Issue Date			Name		Filing Date	
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	2.	EP 0 288 737	2 Nov.	. 1988	EP		⊠ Yes	□ Y	es No Abstract N/A
	3.	EP 0 480 289 B1	12 Ma	r. 1997	EP		⊠ Yes	□ Y	es No Abstract N/A
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	8.	WO 97/10364	20 Ma	r. 1997	wo		⊠ Yes	□ Y	es No Abstract N/A
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	10.	WO 97/31256 A3	28 Aug	g. 1997	wo		⊠ Yes	ПΥ	es No Abstract N/A
	11.	WO 99/29909	17 Jun	. 1999	wo		⊠ Yes	ΠY	es No Abstract N/A
	12.	WO 99/32654	l Jul. l	1999	wo		⊠ Yes	ПΥ	es No Abstract N/A
	13.	WO 99/36571	22 Jul.	1999	wo		⊠ Yes	ΠY	es No Abstract N/A
-	14.	WO 99/39001	5 Aug.	1999	wo		⊠ Yes	ΠY	es No Abstract N/A
	15.	WO 99/40224	12 Aug	g. 1999	WO		⊠ Yes	ΠY	es No Abstract N/A
	16.	WO 00/60116	12 Oct	. 2000	WO		⊠ Yes	ΠY	es 🗌 No 🗋 Abstract 🖾 N/A
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			Attorney Docket:	Serial No.:		
	FORM F	PTO-1449B	2629-4036	10/735,082		
	_		Applicant:			
A CITATION DISCLOSURE			James G. Lazar, et al.			
			Filing Date:	Group Art Unit:		
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Initial PACE Include name of the author (in CA journal, serial, symposium, ca			APITAL LETTERS), title of the artic atalog, etc.), date, page(s), volume-is published.	le (when appropriate), title of the item (book, magazine, sue number(s), publisher, city and/or country where		
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Examiner			Date			

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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			James G. Lazar, et al.		
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			December 11, 2003	1631	
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Examiner	Cite No.1	Include name of the author (in C	APITAL LETTERS), title of the artic	le (when appropriate), title of the item (book, magazine,	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

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Initials*	journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.						
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ranguage Translation is attached. This collection of information is required by 3.7 CFR 1.97 and 1.98. The information is required to obtain of retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

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Examiner

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			NT LITERATURE DOCUMENT	
Examiner Initials*	Cite No. <sup>1</sup>			(when appropriate), title of the item (book, magazine, number(s), publisher, city and/or country where
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			8-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A	
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Examiner			Date	

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